

Docket No.  
2281/102

## Declaration and Power of Attorney For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**MUTING GENE ACTIVITY USING A TRANSGENIC NUCLEIC ACID**

the specification of which

(check one)

- is attached hereto.  
 was filed on December 27, 1999 as United States Application No. or PCT International Application Number 09/472,558  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

Priority Not Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/114,107  
(Application Serial No.)

December 29, 1998  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
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\_\_\_\_\_  
(Filing Date)

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(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*list name and registration number*)

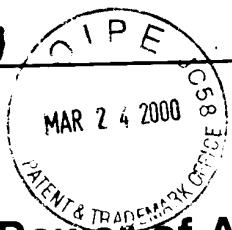
Bruce D. Sunstein	27,234	Elizabeth P. Morano	42,904
Timothy M. Murphy	33,198	Sonia K. Guterman	44,729
Robert M. Asher	30,445	Keith J. Wood	45,235
Samuel J. Petuchowski	37,910	Karen A. Buchanan	37,790
Harriet M. Strimpel	37,008		
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John J. Stickeyvers	39,387		
Herbert A. Newborn	42,031		
Jean M. Tibbetts	43,193		
Jeffrey T. Klayman	39,250		
Jay Sandvos	43,900		

Send Correspondence to: Sonia K. Guterman  
 Bromberg & Sunstein LLP  
 125 Summer Street Boston,  
 Boston, MA 02110

Direct Telephone Calls to: (*name and telephone number*)  
 Sonia K. Guterman (617) 443-9292

Full name of sole or first Inventor <b>Mohammad B. Bahramian</b>	<i>M. B. Bahramian</i>	Date
Sole or first inventor's signature		
Residence 218 Metacomet Drive, Meriden, CT 06450-3565		
Citizenship US		
Post Office Address Same as Residence		

Full name of second inventor, if any <b>Helmut Zarbl</b>	
Second inventor's signature	Date
Residence Apartment No. 304, 1800 Eastlake Avenue East, Seattle, WA 98102	
Citizenship CA	
Post Office Address Same as Residence	



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(Application Serial No.) (Filing Date) (Status)  
(patented, pending, abandoned)

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Bruce D. Sunstein	27,234	Elizabeth P. Morano	42,904
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Jeffrey T. Klayman	39,250		
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**125 Summer Street Boston,**  
**Boston, MA 02110**

Direct Telephone Calls to: (name and telephone number)  
**Sonia K. Guterman (617) 443-9292**

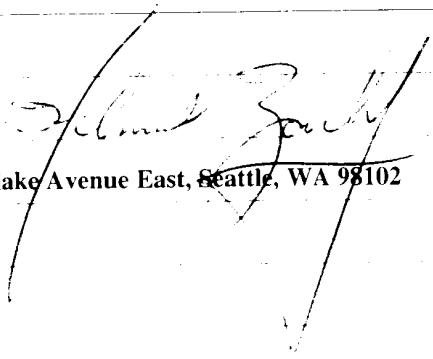
Full name of sole or first inventor  
**Mohammad B. Bahramian**  
Sole or first inventor's signature

Date

Residence  
**218 Metacomet Drive, Meriden, CT 06450-3565**  
Citizenship  
**US**  
Post Office Address  
**Same as Residence**

Full name of second inventor, if any  
**Helmut Zarbl**  
Second inventor's signature

Date



03/15/2000

Residence  
**Apartment No. 304, 1800 Eastlake Avenue East, Seattle, WA 98102**  
Citizenship  
 **U.S.A.**  
Post Office Address  
**Same as Residence**



Atty Dkt: 2281/102

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS -  
SMALL BUSINESS CONCERN**

Inventor(s): Mohammad B. Bahramian  
Helmut Zarbl

Serial No: 09/472,558

Date Filed: December 27, 1999

For: MUTING GENE ACTIVITY USING A TRANSGENIC NUCLEIC ACID

I hereby declare that I am an official of the following small business concern and am empowered to act on its behalf:

Christopher P. Adams  
141 Powderhouse Boulevard  
Somerville, MA 02144

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the above-referenced invention.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor(s), who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the

earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: Christopher P. Adams

Address of person signing: 141 Powderhouse Boulevard  
Somerville, MA 02144

Signature:

Date: